IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

FRIDAY, THE 2ND MARCH 2007 / 11TH PHALGUNA 1928

WP(C).No. 7036 of 2007(K)

PETITIONER:

P.A.MOOSA,
S/O.M.P.ALIYAR, AGED 47 YEARS,
HEAD CLERK, SUB REGISTRAR OFFICE,
ALANGAD, N.PARUR.

BY ADV. SRI.V.A.MUHAMMED
SRI.K.E.HAMZA

RESPONDENTS:

---

1. THE STATE OF KERALA REPRESENTED BY THE SECRETARY TO GOVERNMENT, TAXES DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE INSPECTOR GENERAL OF REGISTRATION, THIRUVANANTHAPURAM.

3. SRI.THOMAS VARGHESE, SUB REGISTRAR, ALAKODE, KANNUR DISTRICT.

R1 & 2 BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K. DENESAN, J.

= = = = = = = = = = = = = = = = =
W.P.(C) No. 7036 OF 2007 K
= = = = = = = = = = = = = = = = =

Dated this the 2nd March, 2007

J U D G M E N T

The petitioner is now working as Head Clerk in the Registration Department. He feels aggrieved by the seniority list published by the Inspector General of Registration as per proceedings dated 8-11-2006 (Ext. P2) fixing the seniority of L.D. Clerks. Against the above seniority list, the petitioner has filed appeal before the Government invoking Rule 27(b) of K.S. & S.S.R. Counsel for the petitioner submits that unless directions are issued by this Court there is likelihood of the consideration of the appeal filed by the petitioner being dragged on causing loss and injury to him.

2. I have heard Govt. Pleader for respondents 1 and 2. In the nature of the order I propose to pass, notice need not be issued to the 3rd respondent in this writ petition.

3. Rule 27(b) of K.S. & S.S.R. empowers the Government to consider the grievance of employees against determination of seniority and to redress the

same as provided in the rules. Therefore, the 1st respondent shall consider Ext. P3, issue notice to the petitioner, the 3rd respondent and any other employee/officer who may be affected by the disposal of Ext. P3 and take decision in accordance with law after affording those who may respond to the notice, the opportunity of being heard. The above exercise shall be completed within three months from the date of receipt of a copy of the judgment.

The petitioner shall produce a copy of the judgment and a copy of the writ petition before the 1st respondent for information and compliance.

K.K. DENESAN
JUDGE

jan/